IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 31ST MAY 2007 / 10TH JYAISHTA 1929

Bail Appl..No. 3223 of 2007()

CC.1780/2006 of J.M.F.C.,CHALAKUDY
CRIME NO.282/2001 OF MALA POLICE STATION

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PETITIONER/ACCUSED

SAJEEV, AGED 40, S/O.KUMARAN,
PALLIYIL HOUSE, KURUVILASSERY VILLAGE,
VALIYAPARAMBU DESOM, THRISSUR DIST.

BY ADV. SRI.M.H.HANIL KUMAR

RESPONDENTS: COMPLAINANT/STATE

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1. SUB INSPECTOR OF POLICE,
MALA POLICE STATION, THRISSUR - DIST.
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, COCHIN-682 031.

2. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No.3223/2007

DATED: 31-5-2007

O R D E R

Petitioner who is the first accused in Crime No.282/2001 of Mala Police Station for offences punishable under Sections 420, 465, 468 and 471 IPC read with section 34 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C. No.1780/2006 on the file of the J.F.C.M, Chalakkudy, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the explanation offered by the petitioner for his previous non-appearance and also considering his contention that the co-accused in the case has been acquitted after trial.

With the above observation, this application is disposed of.

V.RAMKUMAR,
JUDGE.

mrcs